

The Regular Meeting of the Board of Trustees was held on November 24, 2014 at the Village Hall, 34 School Street, Bayville, New York 11709 at 7:30 PM.

Present were:	Mayor Rupp	Village Clerk Treasurer
	Trustee Pinkerton	Maria Alfano-Hardy
	Trustee Russo	Secretary to Board
	Trustee Charon	Nikki Paris
	Trustee Taylor	Village Attorney
	Trustee Valsecchi	Keith Corbett
	Trustee Fay	

Trustee Russo moved BE IT RESOLVED that the following warrants and claims have been audited by the Audit Commission and are hereby offered for approval by the Board of Trustees and BE IT FURTHER RESOLVED that the Village Clerk is hereby authorized to make said payments.

FUND	CLAIM NO.	WARRANT	AMOUNT
GENERAL			
	359/361	5K	\$ 359.69
PAYROLL	10/24/2014	5L	\$ 19,614.54
	362	5M	\$ 1,495.42
PAYROLL	11/5/2014	6A	\$ 21,234.54
	363	6B	\$ 1,619.05
PAYROLL	11/12/2014	6C	\$ 24,379.86
	364	6D	\$ 1,858.75
	365/423	6E	\$ 771,660.26
PAYROLL	11/19/2014	6F	\$ 26,288.36
	424	6G	\$ 2,004.24
TOTAL GENERAL			\$ 870,514.71
WATER			
	82	5J	\$ 83.80
PAYROLL	10/29/2014	5K	\$ 3,488.29
	83	5L	\$ 259.01
PAYROLL	11/5/2014	6A	\$ 4,219.97
	84	6B	\$ 321.73
PAYROLL	11/12/2014	6C	\$ 3,780.41
	85	6D	\$ 288.22
	86/95	6E	\$ 55,362.23
PAYROLL	11/19/2014	6F	\$ 3,826.31
	96	6G	\$ 291.72
TOTAL WATER			\$ 71,921.69
TRUST & AGENCY			
	116/120	5F	\$ 12,629.63
	121/125	6A	\$ 8,455.02
	126/129	6B	\$ 9,164.15
	130/132	6C	\$ 41,980.33
	133/136	6D	\$ 9,039.43
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TOTAL T & A			\$ 81,268.56
REVENUE ENTERPRISE			
	31/34	6A	\$ 1,429.74
TOTAL REVENUE ENTERPRISE			\$ 1,429.74
CAPITAL	12	6A	\$ 4,765.60

TOTAL CAPITAL			\$	4,765.60
COMMUNITY DEVELOPMENT				
	7/8	5B	\$	48,964.00
TOTAL COMMTY DEVELOP			\$	48,964.00
GRAND TOTAL			\$	1,078,864.30

Seconded by: Trustee Charon

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Trustee Valsecchi, aye, Mayor Rupp, aye

RESOLUTION 2014-165

Trustee Fay moved BE IT RESOLVED to accept the prior meeting's minutes as presented.

Seconded by: Trustee Taylor

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Trustee Valsecchi, aye, Mayor Rupp, aye

RESOLUTION 2014-166

Trustee Russo moved BE IT RESOLVED to reject all bids received on October 23, 2014 for the purchase and installation of a generator.

Seconded by: Trustee Fay

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Trustee Valsecchi, aye, Mayor Rupp, aye

RESOLUTION 2014-167

Trustee Pinkerton moved BE IT RESOLVED to accept the proposal dated October 7, 2014 from Bridge Marina to remove and re-install floating dock sections at West Harbor Beach and Creek Beach Marina in the amount of \$14,217.86

Seconded by: Trustee Fay

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Trustee Valsecchi, aye, Mayor Rupp, aye

RESOLUTION 2014-168

Trustee Pinkerton moved BE IT RESOLVED to accept the proposal dated October 7, 2014 from Kevin Viteritti to remove and re-install electrical service to the dock sections at Creek Beach Marina in the amount of \$8500.00.

Seconded by: Trustee Fay

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Trustee Valsecchi, aye, Mayor Rupp, aye

RESOLUTION 2014-169

Trustee Pinkerton moved BE IT RESOLVED to accept the November 7, 2014 proposal from Stern Brothers & Co. in the amount of \$14,512.50 to act as financial advisors for the Village's outstanding debt.

Seconded by: Trustee Fay

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Trustee Valsecchi, aye, Mayor Rupp, aye

RESOLUTION 2014-170

Trustee Charon moved BE IT RESOLVED, that Christopher Vivona, as Deputy Clerk-Treasurer of the Incorporated Village of Bayville, is hereby authorized and directed to file an application for an Arbor Day Community Grant administered by the New York State Urban Forestry Council in an amount not to exceed \$1,000.00, and, upon approval of said application, to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to the Incorporated Village of Bayville for the Village Green Revitalization Project.

Seconded by: Trustee Russo

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Trustee Valsecchi, aye, Mayor Rupp, aye

RESOLUTION 2014-171

**INCORPORATED VILLAGE OF BAYVILLE
NOTICE OF PUBLIC HEARING
SITE PLAN REVIEW**

For the record the Site Plan Review Hearing started at 7:45PM. The Village Clerk read the following notice:

NOTICE IS HEREBY GIVEN that the Village of Bayville will hold a Site Development Plan Review Hearing on Monday, November 24, 2014 at 7:45 pm at Bayville Village Hall, 34 School Street, Bayville, NY. The purpose of said hearing is to review and if the findings conclude, to approve the proposed development of the property located at 14 Ludlam Avenue, Bayville, NY, Section 29, Block G, Lot 234, owner of record, 14 Ludlam LLC, 54-01 43rd Street, Maspeth, NY
All interested parties will have the opportunity to be heard at that time.

BY ORDER OF
THE BOARD OF TRUSTEES
Village of Bayville
Maria Alfano-Hardy
Village Clerk-Treasurer

Dated: November 12, 2014

Affidavits of Publication and Posting were submitted for the record.

Charles Panetta of Bladykas and Panetta, representing the owners of 14 Ludlam Avenue, presented the Board with plans to construct a new building which would have 4 apartments on the second floor and 4 parking spaces on the first floor. The first floor would also have commercial storage space.

At the conclusion of Mr. Panetta's presentation, the Board opened the discussion up for public comment. The following people addressed the Board:

Rachel Barrett – 409 Bayville Avenue
Joe Gleicher – 10 Tradewinds Drive
Victoria Siegel – 2 Hilary Drive
Charles Corso – 242 Bayville Avenue
Michael Gjoni – 45 Bayville Avenue
Michele Principe – 34 Hickory Road
Mike Keffer – 52 Highwood Rd., Oyster Bay – H2M

A complete transcript of the hearing is on file in the office of the Village Clerk.

After the public comment portion of the hearing concluded, the Board moved the following resolution:

WHEREAS, 14 Ludlam Avenue, LLC (Applicant) submitted a site plan application to the Village of Bayville Board of Trustees at a September 27, 2014, meeting. The Applicant proposes construction of a two-story multifamily building, which would consist of four (4) one-bedroom rental dwellings on the second floor with accessory parking on the ground floor provided on the same lot; and

WHEREAS, the property that is the subject of this proposed action is located at 14 Ludlam Avenue, and is designated on Village tax maps as Section 29, Block G, Lot 234; and

WHEREAS, prior to site plan approval, the Applicant pursued and obtained A SPDES permit from the Nassau County Department of Health for the installation of sanitary sewer infrastructure, as set forth in an agency letter dated March 2, 2010; and

WHEREAS, prior to site plan approval, the Applicant pursued and obtained approval from the Nassau County Department of Public Works in accordance with Section 239-f of the New York State General Municipal Law, as set forth in an agency letter dated August 6, 2014; and

WHEREAS, the Application is subject to review in accordance with 239-m of the New York State General Municipal Law, and the Village Board of Trustees is in receipt of a review letter dated November 14, 2014, from the Nassau County Planning Commission which indicates that the application is subject to local determination only; and

WHEREAS, as per the regulations implementing the New York State Environmental Quality Review Act (SEQRA), the Village Board of Trustees has determined that the proposed action, site plan review and approval, is classified an Unlisted Action; and

WHEREAS, the Applicant has already obtained permits and approvals from all other involved agencies, namely the Nassau County Department of Public Works and the Nassau County Department of Health, and the Village Board of Trustees remains the sole agency which has yet to issue a discretionary approval for this project and complete SEQRA review of this action; and

WHEREAS, as all other involved agencies have already issued permits and approvals for the subject project, the Village Board is lead agency for site plan review and approval, and is conducting SEQRA uncoordinated review of the action; and

WHEREAS, the Village Board is in receipt of a long Environmental Assessment Form, Part 1, evaluating the potential impact of the proposed project. As the action commenced prior to October 7, 2013, the Village Board has reviewed the “old” long EAF, as allowed by NYSDEC policy; and

WHEREAS, the Village Board has reviewed a long Environmental Assessment Form, Part 2, for purposes of evaluating the potential impacts associated with the proposed action; and

WHEREAS, the Village Board has analyzed the potential areas of environmental concern associated with the proposed action in accordance with procedures set forth at 6 NYCRR Part 617 and the criteria set forth at 6 NYCRR Part 617.7 implementing the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Village Board tentatively finds that the action will not have a significant adverse impact on the environment for the reasons set forth in Section IV below and has prepared this Negative Declaration:

I. Name and Address of the Involved Agency.

Village of Bayville Board of Trustees
c/o Bayville Village Hall
34 School Street
Bayville, NY 11709

II. Contact Person.

Maria Alfano-Hardy, Administrator

III. SEQRA Classification.

Unlisted Action

IV. Evaluation of Potential Environmental Impacts and Mitigation Measures

Based on the Village Board’s review of the long EAF, Part 2, four potential moderate to large impacts were identified, as they exceeded a threshold listed in the Part 2 EAF. Each environmental feature is further discussed and evaluated in the long EAF, Part 3.

1. Surface Water and Groundwater

Surface waters are not present on the project site. The on-site septic system has been designed in accordance with Nassau County Health Department

standards, and has received a SPDES permit, and will not impact groundwater systems.

2. Wetlands

Wetlands are not present on the project site.

3. Floodplains

The proposed project is located within the 100-year floodplain. As required by Chapter 27, Flood Damage Prevention, of the Village Code, the Applicant has consulted with the building department to ensure that the project complies with the regulations set forth therein. Upon site plan approval, the Applicant will meet with the building department and obtain a building permit, and the project will be required at that time to show continuing compliance with Chapter 27, in order to be granted a permit. The proposed project will be constructed in a manner which does not have a significant impact on the 100-year floodplain.

4. Impact on Aesthetic Resources.

The project site is not visible from any significant designated aesthetic resource. No impacts to aesthetic resources will result.

5. Impact on Drainage.

The proposed action results in the demolition of an existing structure, and construction of new structures in its place, one of which is to be elevated above the ground level. As a result of the limited amount of additional impervious surface area being introduced, and a limited amount of disturbance, i.e., less than one acre, no drainage facilities are necessary or proposed and there will be little change in existing drainage patterns.

6. Impact on Air Resources.

The proposed project will not generate any air pollutants from its operation and occupancy.

7. Impact on Plants and Animals.

The site is already developed and disturbed, and there will be no impact to any rare, threatened, or endangered species, or species of special concern.

8. Impact on Agricultural Use.

The project site is not in agricultural use nor is it to be located within an agricultural district. Impacts to agricultural resources will not occur.

9. Impact on Historic and Archaeological Resources.

The project site is already developed and disturbed. As a result, there will be no impact to any historic resources.

10. Impact on Traffic and Transportation.

The proposed action has received a permit from the Nassau County Department of Public Works in accordance with 239-f of the General Municipal Law. The number of trips from four, one-bedroom dwellings is not anticipated to have a significant adverse impact on traffic conditions in the project vicinity.

11. Noise and Odor.

The proposed project will not introduce any odor, nor will it increase ambient noise levels that are detrimental to adjoining properties.

12. Community Facilities.

The proposed action will not have any significant adverse impact on community services or facilities. The site is easily accessible from, and can be serviced by, necessary emergency protection services. Given the limited number of dwellings and bedrooms introduced by the project, the project will not have a significant impact on the Locust Valley Central School District.

13. Impact on Growth and Character of Community or Neighborhood.

The proposed action will not induce any significant population change or have any detrimental impact on the character of the neighborhood. The proposed action will reuse an already developed site. No impact is anticipated.

Trustee Russo moved **NOW, THEREFORE, BE IT RESOLVED** that based on a review of the foregoing, the Village Board has determined that the proposed action will not have a significant adverse effect upon the environment and an environmental impact statement will not be required.

Seconded by: Trustee Taylor

Poll of the Board: Trustee Fay, nay, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, abstain, Trustee Taylor, aye, Trustee Valsecchi, nay, Mayor Rupp, aye

RESOLUTION 2014-172

Trustee Russo moved BE IT RESOLVED to close the Site Plan Review Hearing for 14 Ludlam Avenue at 8:58PM.

Seconded by: Trustee Fay

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Trustee Valsecchi, aye, Mayor Rupp, aye

RESOLUTION 2014-173

Mayor Rupp moved BE IT RESOLVED to approve the Site Plan for 14 Ludlam Avenue as presented.

Seconded by: Trustee Pinkerton

Poll of the Board: Trustee Fay, nay, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, abstain, Trustee Taylor, aye, Trustee Valsecchi, nay, Mayor Rupp, aye

RESOLUTION 2014-174

The following people addressed the Board.

Patrick Charon – 5 Robert Road

Michael Gjoni – 45 Bayville Avenue

William Charon – 17 Second Avenue

Michele Principe – 34 Hickory Road

Ann & Bill Fetzer – Matthew Fetzer Foundation

Trustee Fay moved BE IT RESOLVED to close the Regular Meeting at 9:25PM.

Seconded by: Trustee Taylor

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Trustee Valsecchi, aye, Mayor Rupp, aye

RESOLUTION 2014-175

Respectfully submitted,

Maria Alfano-Hardy
Village Clerk Treasurer